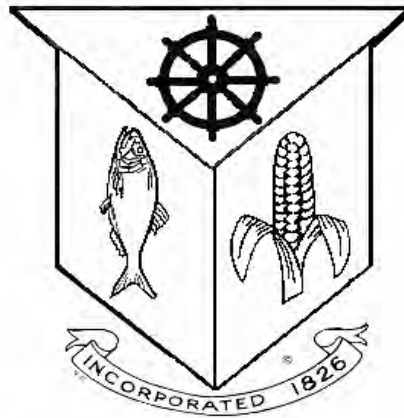


Town of Madison, Connecticut



ZONING REGULATIONS

SUBDIVISION REGULATIONS

ZONING MAP

Printed March 13, 2008

WITH REVISIONS THROUGH

July 1, 2009

TOWN OF MADISON, CONNECTICUT

ZONING REGULATIONS and SUBDIVISION REGULATIONS

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SECTION 2

GENERAL REQUIREMENTS

2.1 COMPLIANCE WITH REGULATIONS

No land, building, or premises or part thereof, shall hereafter be used and no building or part thereof or other structure shall be constructed, reconstructed, extended, enlarged, moved or altered except as permitted or required by these zoning regulations or by the subdivision regulations. No lot shall have an area, width or front, side or rear yard less than and no building or buildings shall occupy in the aggregate a greater percentage of the lot area nor be greater in height than as set forth in the applicable paragraph hereof, except as otherwise permitted or required by these zoning regulations or by the subdivision regulations. No land, building, or premises or parts thereof shall be used in any manner which shall create any objectionable noise, smell, smoke, light or radio or television interference.

2.2 MORE THAN ONE DWELLING ON ONE LOT

No dwelling shall be constructed on a lot containing an existing dwelling unless that lot is capable of being divided in such a way that both the existing dwelling and the proposed dwelling would conform separately with these regulations.

2.3 REDUCTION OF LOT AREA OR DIMENSION

No lot shall be diminished nor shall any yard, court or other open space be reduced except in conformity with these regulations. A density-averaged lot may not be divided or reduced in size unless the total number of lots in the subdivision in which the density-averaged lot was approved would not exceed the total number of lots that could be created in the subdivision if each lot met the minimum lot-size requirements of the current zoning regulations. (*Amended 3/20/03; effective 4/11/03*)

2.4 REQUIRED FRONTAGE AND ACCESS

No building shall be built on any lot unless such lot has a frontage of at least 25 feet on a public street, or unless it has unobstructed, exclusive right-of-way at least 25 feet wide to a public street. The area of any such right-of-way shall not be included in the area of any lot.

2.5 OPEN SPACE REQUIRED FOR EACH BUILDING

Except as specifically provided herein, no part of any yard or other open space required about any building may be included as part of a yard or other open space required for any other building.

2.6 LOT LYING IN MORE THAN ONE DISTRICT

In the case of a lot lying in more than one district, the provisions of the less restrictive district may be applied for a distance of not over 30 feet into a more restrictive district, provided that such lot has frontage on a street in the less restrictive district.

2.7 HEIGHT LIMITATION

The building height limit shall be applied separately for each wing or other distinct portion of the building. Spires, cupolas, towers, chimneys, flagpoles, penthouses, ventilators, tanks, solar collectors and similar features occupying in the aggregate no more than 10 percent of the building area and not used for human occupancy shall not be constructed to a total aggregate height in excess of the following:

<u>District</u>	<u>Height</u>
R-1, R-2, RU-1, RU-2	50'
CA-1, CA-2, CB-1, CB-2	100'
LI	150'
D, DW, DC, and RS	By Permit Only

Any antenna or tower or combination thereof in any R-1, R-2, RU-1 or RU-2 District in excess of a total aggregate height of 50 feet shall be at least 100 feet from the nearest property line. At a height of 50 feet or less or over 100 feet, the one to one rule as applied to accessory buildings in Sec. 11.2 of these regulations shall apply. *(Effective 12/6/79)*

2.7.1 Building Height Reductions – Narrow Lots

The maximum building height allowed shall be reduced for narrow lots as follows:

<u>Width of Lot</u>	<u>Height of Building</u>
More than 90 ft.	30 ft.
90 ft.	29 ft.
80 ft.	28 ft.
70 ft.	27 ft.
60 ft.	26 ft.
50 ft.	25 ft.
40 ft.	24 ft.
Less than 40 ft.	24 ft.

2.7.2 Building Height Reductions: Properties located in a Flood Plain District

The maximum building height allowed shall be 30 feet from the original grade for dwellings located in a Flood Plain District. *(Amended 1/22/99; effective 2/15/99)*

Section 2.8

See Section amendment dates at end of table

	Counts to Building Coverage	Counts to Floor Area	Minimum Yards Apply*
<i>Main Building(s)</i>			
<ul style="list-style-type: none"> the surface area covered by all Buildings on the lot (Buildings, Distinct Portions, garages, outbuildings, etc.) except those specifically excluded in this table, as measured to the outside surface of the exterior walls. For a garrison colonial or similar cantilevered Building, coverage will be measured to the outermost wall(s) 	Yes	Yes	Yes
<ul style="list-style-type: none"> the Floor Area of all floors of all Buildings on the lot, as measured to the outside surface of the exterior walls, except those areas specified below 	Included above	Yes, unless included above	Yes
<ul style="list-style-type: none"> the Floor Area of a Cellar 	Included above	No	Yes
<ul style="list-style-type: none"> the Floor Area of a Basement 	Included above	Yes, unless included above	Yes
<ul style="list-style-type: none"> the Floor Area of an Attic which is NOT a Half-Story or a Full Story 	Included above	No	Yes
<ul style="list-style-type: none"> the Floor Area of an Attic which is a Half-Story or a Full Story 	Included above	Yes, unless included above, measured as the area with a height of 5 feet or more between the top of the floor or the joists and the bottom of the rafters	Yes
<ul style="list-style-type: none"> the Floor Area of a garage 	Included above	Yes, unless included above	Yes
<i>Building Features</i>			
ROOF EAVES / OVERHANGS:			
<ul style="list-style-type: none"> if no portion projects more than 24 inches from the wall of the Building, and at least sixty percent (60%) of the Minimum Yard requirement is maintained 	No	No	No
<ul style="list-style-type: none"> if any of the above criteria are not met 	Yes except for the outer 24"	No	Yes
CHIMNEYS:			
<ul style="list-style-type: none"> if the chimney projects no more than 30 inches from the wall of the Building, at least eighty percent (80%) of the Minimum Yard requirement is maintained, and the chimney is no more than 7.5 feet wide 	No	No	No
<ul style="list-style-type: none"> if any of the above criteria are not met 	Yes except for the outer 30"	No	Yes
BOW OR BAY WINDOWS:			
<ul style="list-style-type: none"> if the bow or bay window portion, including any eave overhang of the window, projects no more than 24 inches from the wall of the Building, at least eighty percent (80%) of the Minimum Yard requirement is maintained, and the aggregate width of such windows on any façade of a Building shall not comprise more than 1/3rd of the width of that façade 	No	No	No
<ul style="list-style-type: none"> if any of the above criteria are not met 	Yes	Yes	Yes

Section 2.8

See Section amendment dates at end of table

	Counts to Building Coverage	Counts to Floor Area	Minimum Yards Apply*
OTHER BUILDING FEATURES:			
• gutters and leaders	No	No	No
• columns, brackets, and pilasters if: <ul style="list-style-type: none"> • such features are no more than 24 inches wide, • no portion projects more than 12 inches from the wall of the Building, and • at least eighty percent (80%) of the Minimum Yard requirement is maintained 	No	No	No
• columns, brackets, and pilasters if any of the above criteria are not met	Yes	Yes	Yes
• other minor architectural features if no portion: <ul style="list-style-type: none"> • projects more than 12 inches from the wall of the Building, and • at least ninety percent (90%) of the Minimum Yard requirement is maintained. 	No	No	No
• other architectural features if any of the above criteria are not met	Yes	Yes	Yes
<i>Exterior Features</i>			
DRIVES / WALKS:			
• driveways	No	No	No
• porte cocheres or covered driveways	Yes	No	Yes
• uncovered walkways	No	No	No
• covered walkways and Breezeways as measured to the outside surface of the exterior walls or columns	Yes	No	Yes
FENCES / WALLS:			
• fences (6 feet or less in height)	No	No	No
• fences (more than 6 feet high)	No	No	Yes
• freestanding walls (4 feet or less in height)	No	No	No
• freestanding walls (more than 4 feet high)	No	No	Yes
TRELLISES / PERGOLAS:			
• Trellises (24 square feet or less in area)	No	No	No
• Trellises (more than 24 square feet in area)	No	No	Yes
• Pergolas / Arbors (24 square feet or less in area)	No	No	No
• Pergolas / Arbors (more than 24 square feet in area)	No	No	Yes

Section 2.8

See Section amendment dates at end of table

	Counts to Building Coverage	Counts to Floor Area	Minimum Yards Apply*
BALCONIES / DECKS / PATIOS:			
<ul style="list-style-type: none"> • Balconies provided : <ul style="list-style-type: none"> • no portion projects more than 24 inches from the wall of the Building, • at least eighty percent (80%) of the Minimum Yard requirement is maintained , and • the balcony is not more than 7.5 feet wide 	No	No	No
<ul style="list-style-type: none"> • Balconies if any of the above criteria are not met 	Yes	No	Yes
<ul style="list-style-type: none"> • Decks if the Deck surface on that side is less than 18” in height above the adjacent grade measured at the edge of the Deck 	No	No	No
<ul style="list-style-type: none"> • Decks if the Deck surface on that side is 18” or more in height above the adjacent grade measured at the edge of the Deck 	No	No	Yes
<ul style="list-style-type: none"> • Open Patios if: <ul style="list-style-type: none"> • the Patio surface on that side is 18” or less in height above the adjacent grade, and • such adjacent grade is not created through use of a retaining wall located within 4 feet of the Patio 	No	No	No
<ul style="list-style-type: none"> • Open Patios if any of the above criteria are not met 	No	No	Yes
<ul style="list-style-type: none"> • Roofed Patios 	Yes	No	Yes
<ul style="list-style-type: none"> • Minor Awnings 	No	No	No
<ul style="list-style-type: none"> • Major Awnings 	Yes	No	Yes
<ul style="list-style-type: none"> • Landscaped Terrace if the wall is 4 feet or less in height, and set below a 1:1 incline from the property line 	No	No	No
<ul style="list-style-type: none"> • Landscaped Terrace if the wall is greater than 4 feet in height or set above a 1:1 incline from the property line 	No	No	Yes
<ul style="list-style-type: none"> • Finished Terrace if the Terrace surface on that side is less than 18” in height above the adjacent grade measured at the edge of the Terrace 	No	No	No
<ul style="list-style-type: none"> • Finished Terrace if the Terrace surface on that side is 18” or more in height above the adjacent grade measured at the edge of the Terrace 	No	No	Yes
PORCHES / GAZEBOS:			
<ul style="list-style-type: none"> • Open Porches (or roofed exterior landings) 24 square feet or less in area measured to edge of platform 	No	No	Yes
<ul style="list-style-type: none"> • Open Porches (or roofed exterior landings) more than 24 square feet in area measured to edge of platform with no enclosed floor space above 	Yes At 50% of the roofed area	No	Yes
<ul style="list-style-type: none"> • Open Porches (or roofed exterior landings) more than 24 square feet in area measured to edge of platform with enclosed floor space above 	Yes	No	Yes
<ul style="list-style-type: none"> • Closed Porches 	Yes	Yes	Yes
<ul style="list-style-type: none"> • Gazebos 	Yes	No	Yes

Section 2.8

See Section amendment dates at end of table

	Counts to Building Coverage	Counts to Floor Area	Minimum Yards Apply*
STEPS / STOOPS / ENTRIES:			
• unroofed exterior steps, stairs, and landings not exceeding 6 feet in length and 6 feet in width inclusive of an exempt Porch	No	No	No
• unroofed exterior steps, stairs, or landings exceeding 6 feet in length and 6 feet in width inclusive of an exempt Porch	No	No	Yes
• entryways for below grade access attached to the main Building (i.e. - basement hatchway doors) that are no greater than 3 feet above grade nor 6 feet in length	No	No	No
• entryways for below grade access attached to the main Building (i.e. - basement hatchway doors) more than 3 feet above grade or more than 6 feet in length	No	No	Yes
RECREATION FACILITIES:			
• swimming pools or hot tubs	No	No	Yes
• at grade tennis courts, basketball courts, sports courts, or similar recreation surfaces	No	No	Yes
• above grade recreation surfaces	Yes	No	Yes
ACCESSORY BUILDINGS / FEATURES:			
• one Accessory Building (such as a tool shed) of 100 SF or less in area as measured to the outside surface of the exterior walls	No	No	Yes
• Accessory Buildings greater than 100 SF in area as measured to the outside surface of the exterior walls	Yes	Yes	Yes
• one or more additional Accessory Buildings totaling more than 100 SF in area as measured to the outside surface of the exterior walls	Yes	Yes	Yes
• dog houses, playscapes, tree houses, and other minor structures which do not require a building permit	No	No	No
• small accessory or ornamental features such as a bird baths, well casings, etc.	No	No	No
• any dish antenna mounted off the ground on a base or riser on the ground	No	No	Yes
• above ground propane tanks (up to 125 gallons)	No	No	No
• above ground propane tanks (more than 125 gallons)	No	No	Yes
• emergency generators, exterior HVAC equipment, pool equipment	No	No	Yes
• concrete pads for emergency generators, exterior HVAC equipment, pool equipment	No	No	No

* Minimum Yard Requirements may be reduced for certain accessory buildings. See Section 11.

Sections 2.8, 2.8.1, 2.8.2, 2.8.3 amended 1/22/99; effective 2/15/99; amended 5/17/01; effective 6/15/01; amended 5/07/09, effective 7/01/09

2.9 YARD REQUIRED FOR LARGE BUILDINGS

In any Residence or Rural District, the required front, side and rear yards shall be increased by one foot for every 100 sq. ft. or major fraction thereof of area of the principal building coverage on such lot in excess of 3,000 sq. ft., but this provision shall not require any yard greater than 100 feet in depth or width. *(Amended 1/22/99; effective 2/15/99)*

2.10 *Section Deleted (Amended 1/22/99; effective 2/15/99)*

2.11 EXISTING LOTS

Nothing in these regulations shall prevent the construction of a permitted building or establishment of a permitted use on a lot which, at the time of adoption of these regulations and also at the time of construction, was owned separately from any adjoining lot as evidenced by deed recorded in the land records of the Town of Madison, provided that the lot contains an area of not less than 4,000 sq. ft. and a width of not less than 40 feet and provided that any reduction in required yards shall have been approved by the Zoning Board of Appeals, or on a lot in an approved subdivision.

2.12 USE OF LAND FOR ACCESS OR PARKING

The use of land for access to or for parking in connection with a use shall be considered accessory to such use.

2.13 No planting or other obstruction shall be placed or permitted to grow on any corner lot within the triangle formed by two intersecting street lines and a line connecting points on such street line 20 feet from the intersection in such a manner as to interfere with the vision of drivers approaching the intersection.

2.14 In any commercial or industrial district, at least one-half of the first 20 ft. in from the front lot line of the front yard (as defined in §19.28) shall be suitably landscaped and shall not be used for parking or display purposes.

2.15 CHANGE OF USE

The conversion of a residence use to a permitted commercial use or the changing of one permitted commercial or industrial use for another permitted commercial or industrial use shall be subject to review and approval by the Zoning Enforcement Officer in accordance with §4.2.1, 4.2.2 and 14.7.

2.16 DRIVEWAYS

To facilitate access of emergency and service vehicles, driveways servicing buildings placed 100 feet or more from the street line shall be subject to the following requirements:

Cleared driveway width	15 feet
Cleared height	12 feet
Width of permanently improved portion	10 feet
Maximum grade	15%
Centerline radii for horizontal curves	30 feet

2.17 A minimum setback of 50 feet from critical coastal resource areas as defined in §19.9 of these regulations is required for all buildings except accessory buildings with footprints not exceeding 200 square feet, building additions that do not change the building

footprint, or uncovered decks. (*Approved 12/17/92; effective 4/1/93; amended 10/16/08; effective 11/10/08*)

2.18 No building permit shall be issued for any new construction, addition, or exterior alteration located

2.18.1 within any of the areas in which the use is permitted only by Special Exception; or

2.18.2 in any Commercial Districts in §6.

until the applicant shall have obtained a Special Exception Permit or Site Plan approval pursuant to the provisions of §4.2 through 4.8 or §29 respectively. (*Effective 10/14/86; modified effective 10/30/87*)

2.19 No addition or alteration of parking areas, or major alteration including removal of or addition to landscaping and/or buffer zone(s) shall be permitted in any of the Commercial Districts under Section 6 until such changes shall have been reviewed by the Advisory Committee on Community Appearance and approved by the Planning and Zoning Commission as required under §6.7 of these Regulations. (*Effective 10/30/87*)

SECTION 13

ZONING BOARD OF APPEALS

- 13.1** The Zoning Board of Appeals shall consist of five members elected, as provided by law, who shall serve without compensation. Said Board shall elect a chairman from its membership and shall appoint a secretary who shall keep a record of all its proceedings, showing the vote of every member upon each question, or if absent or failing to vote, indicating such fact. Each rule or regulation and each amendment or repeal thereof and each order, requirement or decision of the Board shall immediately be filed in the office of the Board and shall be a public record.
- 13.2** All meetings of such Board shall be held at the call of the Chairman and at such other times as said Board may determine and shall be open to the public. The Chairman, or in his absence, the acting Chairman, may administer oaths and compel the attendance of witnesses.
- 13.3** The Zoning Board of Appeals shall have the following powers and duties:
- 13.3.1** To hear and decide appeals where it is alleged that there is an error in any order, requirements or decisions made by the Zoning Enforcement Officer or any other official charged with the enforcement of these regulations. **“Time Limitation for Appeals from the ruling of the Zoning Enforcement Officer”:** Appeals to the Zoning Board of Appeals by any person, officer, department, board or bureau of any municipality aggrieved by any ruling of the Zoning Enforcement Officer shall be filed within thirty (30) days of the issuance of such ruling. Such appeals shall be filed in accordance with C.G.S. §8.7 as amended. *(4/1/75)*
 - 13.3.2** To hear and decide all matters upon which it is required to pass by the specific terms of these regulations *(rev. 1/1/78), and*
 - 13.3.3** To determine and vary the application of provisions of these regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare, and property values solely with respect to a parcel of land, where owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and public safety and welfare secured.

Section 13.4 added and subsequent sections renumbered as amended October 16, 2008, effective November 10, 2008; further amended 5/07/09, effective 7/01/09

- 13.4** Use Variances. The following rules shall apply when a variance is sought to permit a use not otherwise permitted in the zoning district. These rules shall not be deemed to apply to any variance that is issued solely for a dimensional requirement.
- 13.4.1** Prior to the issuance of any building permit or certificate of occupancy for any such use allowed by variance under this section, a site plan for such use must be approved in accordance with the procedures and standards set forth in Section 29, Site Plan Review, of these Regulations.
 - 13.4.2** No variance shall be granted which would permit a use of land, building or other structures prohibited in all districts in the Town.
- 13.5** Each application shall be filed in writing with the Zoning Enforcement Officer on such forms and containing such information as shall be prescribed from time to time by the Zoning Board of Appeals. Each application for variance, appeal from decision or other application shall be accompanied by such fee as is appropriate under the provisions of Sec. 23.1 of these regulations *(7/1/89)*. If an applicant or his duly authorized agent fails to appear at the advertised public

hearing, or if said applicant withdraws such application or requests a postponement of any advertised public hearing concerning his application and it appears to the Board that such failure to appear, withdrawal or postponement is prejudicial to the public or any person intending to oppose such application, the Board may, in its discretion, deny such application without prejudice, in which event, any refilling of such application shall not be considered by said Board for a period of six months. (*July 1, 1980*)

13.6 Any variance granted pursuant to Sec. 13.3.3 for which a building permit is required shall expire after two years unless a Certificate of Occupancy has been obtained within such period. Upon application and payment of a fee in accordance with Sec. 23 of these regulations, the Zoning Board of Appeals may grant up to two one-year extensions of time to obtain a Certificate of Occupancy. (*Amended 5/17/01; effective 6/15/01*)

13.7 After making application and being given assignment for public hearing thereon, the applicant shall prepare a list of names and addresses of owners of all properties within the area which is the subject of the application and of all properties within at least 500 feet distant therefrom in all rural zones, and at least 150 feet distant therefrom in all other zones, all as verified from the most current Real Property records on file in the Office of the Assessor of the Town of Madison (or the actual owners of record if otherwise known to the applicant); the lists shall include map numbers and lot numbers.

The applicant shall mail notification of said pending application to at least one owner of each such property not more than 20 days nor less than 7 days before the date set for public hearing by transmitting the text of the application, including scheduled date, time, and place of public hearing. Evidence of such mailing shall be submitted with the aforementioned list, in the form of United States Post Office Certificates of Mailing.

Effective 6/15/88

SECTION 19

DEFINITIONS

Intent and General Rules of Construction. Except as defined below, the words used in these Regulations shall have the meaning commonly attributed to them. In the interests of clarity and brevity, the following terms shall, unless otherwise stated, have the meaning herein indicated for all purposes of these Regulations. Words used in the present tense shall include the future tense. When the context so requires, words in the masculine, feminine or neuter gender shall include any gender and words in the singular or plural shall include both singular and plural numbers. The word “person” includes a partnership, corporation or LLC.

ACCESSORY BUILDING: see BUILDING, ACCESSORY

ACCESSORY USE: see USE, ACCESSORY

AGRICULTURE OR FARMING: the cultivation of land for the growing of vegetables, grains, grasses, trees, herbs, fruits, horticulture or commercial floriculture; the raising of livestock, fish, birds, bees; the production of edible farm products; but not including kennels or livery stables.

ARBOR: Pergola

ATTIC: the space under a roof. (see “Non-Story”, “Story, Full” and “Story, Half”)

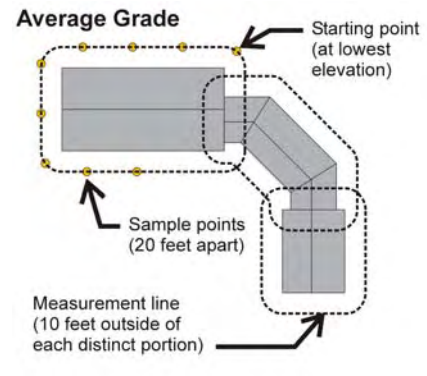
AUTOMOTIVE REPAIR SHOP: a facility for the repair and maintenance of mechanical parts of automobiles, motorcycles, light trucks or similar vehicles.

AUTOMOTIVE SERVICE STATION: a facility for the retail sale of automotive fuels, oils, and accessories, that may also offer automobile repair services and/or may also be a Connecticut licensed emission station. Such facility may include an outlet for the sale of food, non-alcoholic beverages, tobacco and dry goods for off-premises consumption as an Accessory Use.

AVERAGE BUILDING HEIGHT: see BUILDING HEIGHT, AVERAGE

AVERAGE GRADE: the Average Grade shall be an elevation determined by averaging the ground elevations at points situated every 20 feet along an imaginary line located ten (10) feet outside of the wall of the Building or Structure or Distinct Portion and the starting location for such measurement points shall be the lowest elevation along the measurement line.

- Where such elevation points would be on property of others, the ground elevations shall be taken at the property line.
- Where such elevation points would be inside another Distinct Portion of such Building, the elevation used shall be an average of the grades on the line on each side of such Distinct Portion.
- Such ground elevations shall be of finished grade except that in a flood zone, the original grade elevations shall be used.



AWNING: a roof-like cover made of canvas or plastic coated polyester or similar material which projects from a wall or roof of a Structure (typically over a window, walk or door).

AWNING, MINOR: Minor Awning; an Awning covering up to 24 square feet of horizontal area.

AWNING, MAJOR: Major Awning; an Awning covering 24 square feet or more of horizontal area.

BALCONY: an outdoor platform, not supported by posts or columns, projecting from the wall of a Building and accessible from the building by a door or window.

BASEMENT: that part of a Distinct Portion of a Building located partially or wholly below ground level and where the difference in elevation between Average Grade and the floor elevation above is more than five feet (5'). (see also "Cellar", "Crawl Space")

BED AND BREAKFAST: a Building or group of Buildings, a portion of which is occupied by the owner thereof as a permanent residence, designed or used for the short term rental (up to thirty (30) consecutive days) of not more than twelve guestrooms to transients and is capable of including as an Accessory Use, the serving of breakfast exclusively to overnight guests of the facility.

BEDROOM: a room which provides: a) a habitable or potentially habitable space per the Connecticut Building Code, which has the potential to be utilized as a sleeping area on a consistent basis; and b) entry from a common area not through a room already deemed a bedroom.

BREEZEWAY: a roofed Structure, open to the air, built and/or used for the purpose of connecting a Building with other Buildings or Structures.

BUILDING: any Structure having a roof and intended for the shelter, housing or enclosure of persons, animals or materials. The connection of two (2) or more Buildings by means of a Porch, Breezeway, passageway, carport, or other above-ground Structure, except a wall or Fence or at-grade Structure, shall be deemed to make them one Building. The placement of two (2) or more Buildings within fifteen (15) feet of each other shall be deemed to make them one Building.

BUILDING, ACCESSORY: Accessory Building; a Building, other than the Principal Building, and subordinate to the Principal Building on a Lot and used for purposes customarily incidental to those of the Principal Building.

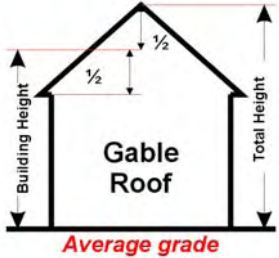
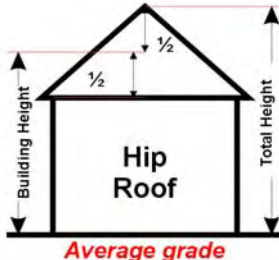
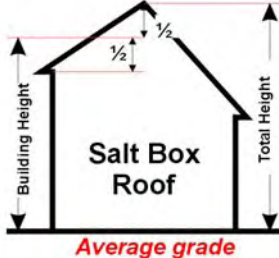
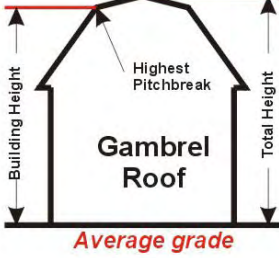
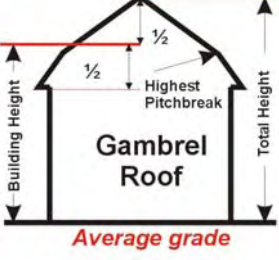
BUILDING, DISTINCT PORTION: a portion of a Building, defined by its footprint, walls or other feature(s), which is visually discrete from other portions of the same Building due to size, height, shape, form, bulk, or other measures of volume, dimension, spatial relationship, or location.

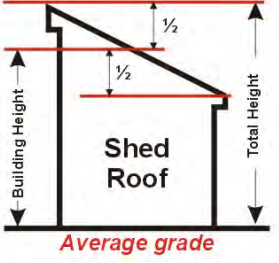
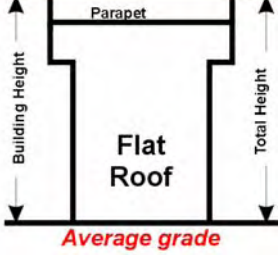
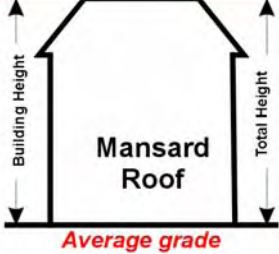
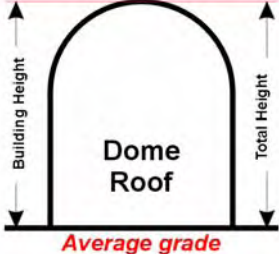
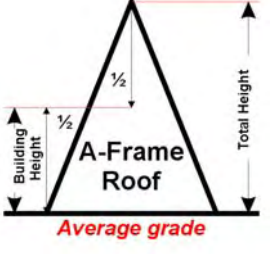
BUILDING, PRINCIPAL: Principal Building; the Building or Buildings in which the Principal Use on the Lot is carried on.

BUILDING AREA: Building Coverage.

BUILDING COVERAGE: see COVERAGE, BUILDING

BUILDING HEIGHT, AVERAGE: Average building Height; measured separately for each Distinct Portion of the Building or other Structure:
(See illustrations next page.)

Roof Type	Basic Rule	Rule When Dormer(s) or Distinct Portion(s) occupy more than 50% of the width of the façade below
 <p>The diagram shows a gable roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest midpoint of the roof is labeled with a double-headed arrow and the fraction 1/2. The total height from the average grade to the ridge is also labeled with a double-headed arrow and the fraction 1/2. The building height is shown on the left, and the total height is shown on the right.</p>	<p>GABLE ROOF</p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
 <p>The diagram shows a hip roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest midpoint of the roof is labeled with a double-headed arrow and the fraction 1/2. The total height from the average grade to the ridge is also labeled with a double-headed arrow and the fraction 1/2. The building height is shown on the left, and the total height is shown on the right.</p>	<p>HIP ROOF</p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
 <p>The diagram shows a salt box roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest midpoint of the roof is labeled with a double-headed arrow and the fraction 1/2. The total height from the average grade to the ridge is also labeled with a double-headed arrow and the fraction 1/2. The building height is shown on the left, and the total height is shown on the right.</p>	<p>SALT BOX ROOF</p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest eave to its corresponding ridge).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
 <p>The diagram shows a gambrel roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest pitchbreak is labeled with a double-headed arrow and the fraction 1/2. The total height from the average grade to the ridge is also labeled with a double-headed arrow and the fraction 1/2. The building height is shown on the left, and the total height is shown on the right.</p>	<p>GAMBREL ROOF</p> <p>When the highest Pitchbreak is <u>above</u> the midpoint elevation (between the ridge and the lowest corresponding eave), the vertical height from Average Grade to the highest Pitchbreak.</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave or Pitchbreak) of any roof, Dormer, or Distinct Portion</p>
 <p>The diagram shows a gambrel roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest pitchbreak is labeled with a double-headed arrow and the fraction 1/2. The total height from the average grade to the ridge is also labeled with a double-headed arrow and the fraction 1/2. The building height is shown on the left, and the total height is shown on the right.</p>	<p>GAMBREL ROOF</p> <p>When the highest Pitchbreak is <u>at or below</u> the midpoint elevation (between the ridge and the lowest corresponding eave), the vertical height from Average Grade to the highest midpoint elevation (between the ridge and</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave or Pitchbreak) of any roof, Dormer, or Distinct Portion</p>

 <p>The diagram shows a cross-section of a shed roof. A horizontal line at the bottom is labeled 'Average grade'. The roof slopes downwards from left to right. A vertical line on the left is labeled 'Building Height'. A vertical line on the right is labeled 'Total Height'. A horizontal line is drawn from the peak of the roof to the right edge, and a vertical line labeled '1/2' is drawn from this horizontal line down to the roof's slope. Another horizontal line is drawn from the peak to the left edge, and a vertical line labeled '1/2' is drawn from this horizontal line down to the roof's slope.</p>	<p>SHED ROOF</p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
 <p>The diagram shows a cross-section of a flat roof with a parapet. A horizontal line at the bottom is labeled 'Average grade'. The roof is flat and extends to a higher level labeled 'Parapet'. A vertical line on the left is labeled 'Building Height'. A vertical line on the right is labeled 'Total Height'.</p>	<p>FLAT ROOF</p> <p>The vertical height from Average Grade to the highest elevation of any such roof, including the top of any parapet.</p>	<p>n/a</p>
 <p>The diagram shows a cross-section of a mansard roof. A horizontal line at the bottom is labeled 'Average grade'. The roof has a low slope on the outside and a steeper slope on the inside. A vertical line on the left is labeled 'Building Height'. A vertical line on the right is labeled 'Total Height'.</p>	<p>MANSARD ROOF</p> <p>The vertical height from Average Grade to the highest elevation of any such roof, including the top of any parapet.</p>	<p>n/a</p>
 <p>The diagram shows a cross-section of a dome roof. A horizontal line at the bottom is labeled 'Average grade'. The roof is a semi-circular dome. A vertical line on the left is labeled 'Building Height'. A vertical line on the right is labeled 'Total Height'.</p>	<p>DOMED ROOF</p> <p>The vertical height from Average Grade to the highest elevation of any such roof, including the top of any parapet.</p>	<p>n/a</p>
 <p>The diagram shows a cross-section of an A-frame roof. A horizontal line at the bottom is labeled 'Average grade'. The roof is a simple triangle. A vertical line on the left is labeled 'Building Height'. A vertical line on the right is labeled 'Total Height'. A horizontal line is drawn from the peak to the left edge, and a vertical line labeled '1/2' is drawn from this horizontal line down to the roof's slope. Another horizontal line is drawn from the peak to the right edge, and a vertical line labeled '1/2' is drawn from this horizontal line down to the roof's slope.</p>	<p>A-FRAME ROOF</p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>

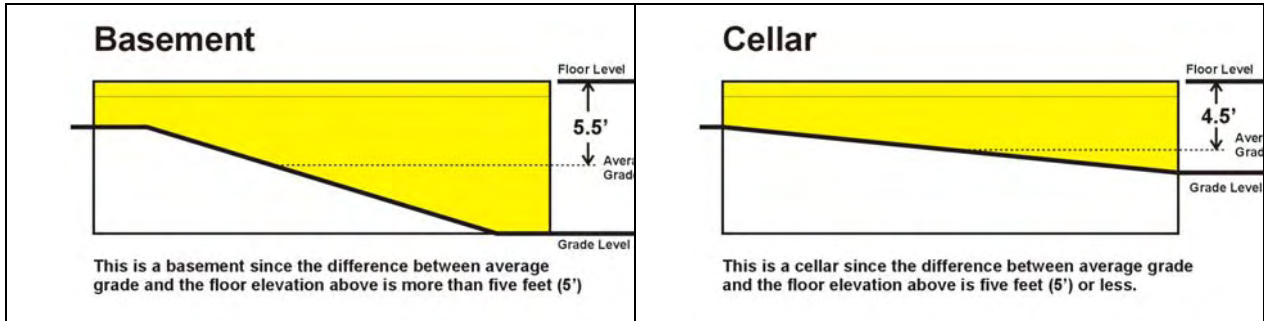
BUILDING HEIGHT, TOTAL: Total Building Height; the vertical distance from the Average Grade for a Distinct Portion of a Building or other Structure to the highest point of the roof for that Distinct Portion of the Building or Structure, including the top of any parapet.

BUILDING LINE: a line parallel to a Street at a distance equal to the Minimum Front Yard or where required to achieve the minimum Lot Width when such Lot Width is not met at the Minimum Front Yard.

BULK: the size and shape of Buildings, Structures, and Uses of land and the physical relationships of their exterior walls or limits of Use to Lot Lines, the exterior wall of other Buildings, Structures or Uses, and the Open Spaces required by these Regulations. Bulk includes regulations dealing with Floor Area Ratio, Floor Area, Building Height, Lot area, Lot Coverage, Lot Lines, Minimum Dimension Square, or other similar regulations of volume, dimension, spatial relationship, or location.

CAR WASH: a facility for washing motor vehicles.

CELLAR: that part of a Distinct Portion of a Building wholly or partially below ground level and where the difference in elevation between Average Grade and the floor elevation above is five feet (5') or less. (see also "Basement", "Crawl Space")



CLOSED PORCH: see PORCH, CLOSED

CLUB: land, buildings and facilities owned or operated by a non-profit entity for a recreational, social, patriotic, political, benevolent or athletic purpose, but not for pecuniary gain, nor to render a service which is customarily carried on as a business. A Club shall cater only to its members or guests accompanying them. No permit shall be issued for the establishment of a club unless the applicant provides an affidavit specifying, to the satisfaction of the Commission, the manner in which the use of the club will be restricted to members and guests accompanying members.

COMMISSION: the Planning and Zoning Commission of the Town of Madison.

COMMUNITY ASSOCIATION: an incorporated or unincorporated group of individuals comprising a homeowners' association, a merchants' association, a neighborhood association, or other group of individuals having a shared interest in one or more parcels of land pursuant to, or as acknowledged by, a written agreement, deed, declaration, or other instrument recorded on the Land Records of the Town of Madison.

COVERAGE: Building Coverage.

COVERAGE, BUILDING: Building Coverage; the aggregate of all the areas identified in Section 2.8 as "counts to Building Coverage". When expressed as a percentage, the aggregate of all the areas identified in Section 2.8 as "counts to Building Coverage" divided by the area of the Lot.

COVERED PATIO: see PATIO, COVERED

CRAWLSPACE: Cellar. (See also "Basement".)

CRITICAL COASTAL RESOURCE AREAS: tidal wetlands (measured from the upland boundary of tidal wetland), coastal bluffs and escarpments (measures from the crest of the bluff), beaches and dunes (measured from the landward boundary of the frontal or primary dune), rocky shore fronts, and tidal or coastal waters (measured from the high tide line determined by locating a visible line of oil, scum, crushed shell, debris, vegetation or any combination of these indicating the highest point reached by water. The high tide line should be calculated to include spring high tides and other unusually high tides exclusive of storm surges). See C.G.S. §22a-93 or successive statute for definitions of these resources.

CUSTOMARY HOME OCCUPATION: a Retail, Personal, Professional or Business Service when conducted as an Accessory Use to a dwelling, or the production of articles that require the skillful use of

the hands and are not mass-produced, but not including the home or personal office of one whose principal place of business or employment for the same occupation is not in the home.

DAY OF RECEIPT: the day of the next regularly scheduled meeting of the Commission immediately following the day of submission to the Land Use Office, or thirty-five days after such submission, whichever is sooner. This definition is intended to be consistent with the definition of “date of receipt” in Conn. Gen. Stat. § 8-7d(c), as it may be amended.

DAYCARE CENTER: a Use which offers or provides a program of supplementary care for compensation to more than twelve (12) related or unrelated children, or any number of adults, outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Day Care Center" does not include services which are: (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188; (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs; (3) informal arrangements among neighbors or relatives in their own homes. "Day Care Center" includes “Child Day Care Center” as defined in Section 19a-77 of the Connecticut General Statutes but does not include a "Family Day Care Home" or "Group Day Care Home" as defined in said Section.

DECK: a raised outdoor platform without a roof, supported by posts or columns.

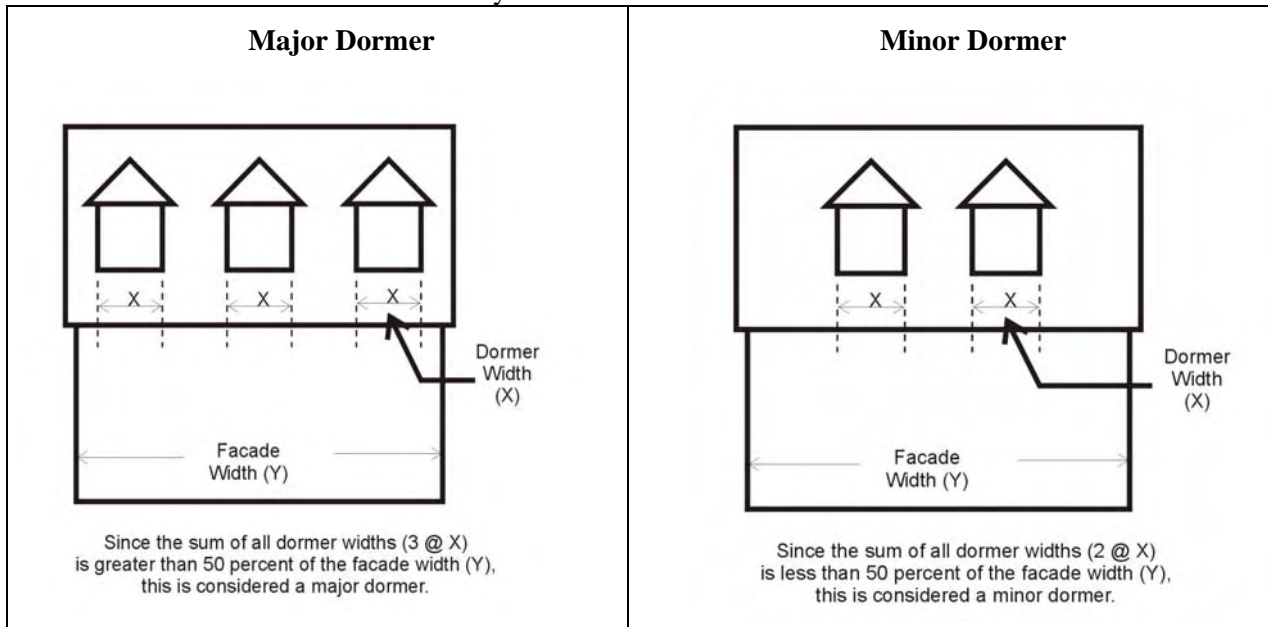
DENSITY-AVERAGED LOT: see LOT, DENSITY-AVERAGED

DISTINCT PORTION: see BUILDING, DISTINCT PORTION

DORMER: a projection from a sloping roof creating useable Floor Area below or containing a window or a ventilating louver.

DORMER, MAJOR: Major Dormer; one or more Dormers that occupy 50 percent or more of the width of the facade below as measured by the walls.

DORMER, MINOR: Minor Dormer; one or more Dormers that occupy less than 50 percent of the width of the facade below as measured by the walls.



DWELLING UNIT: a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, and sanitation.

EDUCATIONAL INSTITUTION: a facility for the provision of instruction of academic subjects to adults or children, not including a facility whose main function is the enjoyment of physical activities with or without instruction or whose primary function is as a recreational facility.

FAMILY: any number of individuals related by blood, marriage, or civil union living together as a single housekeeping unit; a group of not more than six persons, whether or not related by blood, adoption, marriage, or civil union may be considered a family for purposes of establishing a permitted use of a Dwelling Unit.

FAMILY UNIT: Dwelling Unit.

FENCE: a vertical Structure of any material or combination of materials, other than trees or other living plant material, erected to create a barrier or enclose, separate, screen or buffer areas of land.

FINISHED TERRACE: see TERRACE, FINISHED

FLOOR AREA: the area of a floor or story in a Building, measured to the outside of the exterior walls identified in Section 2.8 as “counts to Floor Area”.

FLOOR AREA, GROSS: Gross Floor Area; the aggregate floor area of all the floors in a Building identified in Section 2.8 as “counts to Floor Area”.

FLOOR AREA RATIO (FAR): the Gross Floor Area of all Buildings on the Lot or Parcel divided by the total area of the Lot or Parcel.

FRONTAGE: a continuous property line that is also a dividing line between a Lot and a public or private roadway.

FRONT LOT: see LOT, FRONT

FRONT LOT LINE: see LOT LINE, FRONT

FRONT YARD: see YARD, FRONT

FIRE STATION: Premises which house fire fighting equipment and related facilities and emergency apparatus for serving the public.

FULL-SERVICE RESTAURANT: see RESTAURANT, FULL SERVICE

FULL STORY: see STORY, FULL

GAZEBO: A freestanding, roofed Structure, permanently attached to the ground, providing a shady resting place in a garden or lawn area.

GOVERNMENTAL BUILDING or GOVERNMENTAL USE: any facility owned or leased by the United States of America, the State of Connecticut or any agency of the foregoing, and utilized for governmental or quasi governmental purposes.

GROSS FLOOR AREA: see FLOOR AREA, GROSS

HALF STORY: see STORY, HALF

HOTEL: a Building, or part thereof, with a common entrance and no exterior room access, designed and used primarily for temporary accommodation for transients, and which may include, as Accessory Uses, the serving of food and drink and the provision of rooms for public assembly.

HUMAN OCCUPANCY: see OCCUPANCY, HUMAN

ILLUMINATED SIGN: see SIGN, ILLUMINATED

LANDSCAPED TERRACE: see TERRACE, LANDSCAPED

LIVING AREA: in a residential dwelling, that portion of the Gross Floor Area which has ceilings, walls, and floors finished in a manner which is intended to allow human occupancy and which conforms to the Building Code.

LOT: a plot or Parcel of land, identified as a separate tract in a deed recorded in the Madison Land Records or on a subdivision plan approved by the Commission.

LOT, DENSITY-AVERAGED: Density-Averaged Lot; a Lot that was created as part of a “density averaged subdivision”. A density-averaged subdivision is one in which the area of some Lots was permitted to be less than the minimum Lot area otherwise required in the relevant zoning district, but the average size of all of the Lots in the Subdivision did not exceed the minimum Lot area. For example, in a zone requiring a one-acre minimum Lot size, a ten-acre Parcel could not accommodate more than ten one-acre lots. In a Density-averaged Subdivision in the same zoning district, the maximum number of Lots on a ten-acre Parcel would still be ten, but some Lots could be smaller than one acre while others would have to be larger to satisfy the overall density requirement. Density-averaged Subdivisions were permitted under the Madison Zoning Regulations between April 24, 1965 and November 6, 1986.

LOT, FRONT: Front Lot; a Lot which has Frontage of at least 25 feet and where the Minimum Lot Width is obtained within 150 feet of the public or private roadway.

LOT, MINIMUM WIDTH OF: Minimum Width of Lot; the distance between Side Lot Lines on opposite sides of a Lot or, on corner Lots, the distance between a Side Lot Line and the Front Lot Line that is opposite or most nearly opposite to it. Lot width shall be measured in a direction parallel to the Front Lot Line. When the Front Lot Line is curved, the measurement of Lot width shall be parallel to a straight line passing through the two points at which the Front Lot Lines touch the Side Lot Lines.

LOT, REAR: Rear Lot; a Lot other than a Front Lot.

LOT LINE, FRONT: Front Lot Line; all dividing lines between a Street and the Lot that abut both the Street and the Lot.

LOT LINE, REAR: Rear Lot Line; any lot line or portion of a lot line that is parallel to, or within 45 degrees of being parallel to, the Front Lot Line shall be considered a Rear Lot Line.

LOT LINE, SIDE: Side Lot Line; any Lot Line that is not a Front Lot Line or a Rear Lot Line.

MACHINERY REPAIR SHOP: a facility that provides repairs for household machines such as vacuum cleaners, sewing machines, lawn mowers, snow throwers, chain saws, and the like, or ordinary business machines such as computers, copy machines, fax machines, and the like and where the activity is contained within a building and does not produce noise, vibrations, illumination, odor, or particulate that would cause a nuisance to nearby property.

MAJOR AWNING: see AWNING, MAJOR

MAJOR DORMER: see DORMER, MAJOR

MEDICAL OFFICE: see OFFICE, MEDICAL

MEDICAL OUTPATIENT CLINIC: see OUTPATIENT CLINIC, MEDICAL

MINIMUM FRONT YARD: see YARD, MINIMUM FRONT

MINIMUM LOT WIDTH: see LOT, MINIMUM WIDTH OF

MINIMUM REAR YARD: see YARD, MINIMUM REAR

MINIMUM SIDE YARD: see YARD, MINIMUM SIDE

MINOR AWNING: see AWNING, MINOR

MINOR DORMER: see DORMER, MINOR

MOTEL: a Building, or Buildings, with separate outside entrances for each room or suite of rooms, designed and used primarily for temporary accommodation for transients, and which may include, as Accessory Uses, the serving of food and drink and the provision of rooms for public assembly.

MUNICIPAL BUILDING or MUNICIPAL USE: any facility owned or leased by the Town of Madison, or any agency thereof, and utilized for governmental or quasi governmental purposes.

NON-CONFORMING BUILDING: a Building which does not conform to all the applicable provisions of these Regulations.

NON-CONFORMING LOT: a Lot which does not conform to all the applicable provisions of these Regulations.

NON-CONFORMING USE: a Use of land, Building or Premises which is not a Use permitted by these Regulations for the district in which such land, Building or Premises is situated.

NON-PROFIT CORPORATION: a corporation, partnership, or other entity lawfully having tax-exempt status under state or federal law.

NON-STORY: see STORY, NON-STORY

NURSERY SCHOOL: see DAY CARE CENTER.

OCCUPANCY, HUMAN: Human Occupancy; Living Area.

OFFICE, BUSINESS OR PROFESSIONAL, OR FINANCIAL INSTITUTION: Business or Professional Office, or Financial Institution; a non-retail, facility which involves the transaction or provision of a financial, professional or business service, the operation of a service organization, or a combination thereof.

OFFICE, MEDICAL: Medical Office; the non-retail premises of one or more health-care providers for the treatment and/or examination of patients solely on an out-patient basis.

OPEN PATIO: see PATIO, OPEN

OPEN PORCH: see PORCH, OPEN

OUTPATIENT CLINIC, MEDICAL: Medical Outpatient Clinic: a facility which provides medical services to patients who present non-life-threatening problems but who need or want the convenience of immediate medical attention. An Outpatient Medical Clinic is characterized by having limited facilities and personnel. Such a facility may be open 24 hours a day.

OUTPATIENT CLINIC, VETERINARY: Veterinary Outpatient Clinic; a facility where small animals or pets are given medical or surgical treatment.

PARCEL: any tract of land, including a Lot.

PARK: a tract of land reserved for active or passive recreational purposes and open to the public.

PASSENGER STATION: facilities and/or waiting stations for passengers for trains, buses or other forms of public transportation, including accessory service therein, but not including switching, storage, freight yards, or sidings.

PATIO: an outdoor area surfaced with concrete, brick, or similar material placed directly on the ground.

PATIO, OPEN: Open Patio; a Patio with no roof or other covering.

PATIO, ROOFED: Roofed Patio; a Patio with a fixed roof.

PATIO, COVERED: Covered Patio; a Patio with a covering other than a fixed roof, such as an Awning.

PERGOLA: a vertical Structure without a solid roof or solid walls, more than 30” in depth, usually constructed of wood, typically used for decoration, to provide support for plants, create shade, or to frame a view; may be free-standing or attached.

PITCHBREAK: the intersection of two slopes of a gambrel roof, other than at the ridge.

PLAYGROUND: an outdoor area developed for children’s active play and recreation, and which includes equipment for children such as swings, slides, playscapes and the like, and/or sports courts and/or playing fields.

PORCH: an outdoor area adjacent to a Building or other Structure, typically with a raised platform and with a fixed roof or another platform above, includes a roofed exterior landing.

PORCH, CLOSED: Closed Porch; a Porch with screened-in or glassed-in openings.

PORCH, OPEN: Open Porch; a Porch that is open to the air without screened-in or glassed-in openings.

PREMISES: a Lot or Parcel and all Buildings, Structures, or Uses located thereon.

PRINCIPAL BUILDING: see BUILDING, PRINCIPAL

PRINCIPAL USE: see USE, PRINCIPAL

PUBLIC RECREATION FACILITY: Premises designed and equipped for the conduct of sports and leisure-time activities which are open to the general public, such as picnic grounds, or playing fields or courts.

PUBLIC UTILITY: a Building, Structure, or facility relating to the furnishing of utility services such as a communication, electricity, gas, water or sewer company that provides such service.

REAR LOT: see LOT, REAR

REAR LOT LINE: see LOT LINE, REAR

REAR YARD: see YARD, REAR

RESEARCH AND DEVELOPMENT FACILITY: a facility devoted to scientific research and development of manufactured products, processed products, compounded products and any investigative activities of a scientific nature. It may also include a combination of research activities and manufacturing activities provided that: (a) the manufacturing is the direct outcome of the research activity conducted therein; and (b) the manufacturing activity does not constitute more than twenty five percent (25%) of the total Use conducted on the premises, measured by floor space allocation, operating expenditures and personnel; and (c) the manufacturing activity is contained within a building and does not produce noise, vibrations, illumination or particulate that is materially perceptible to adjacent land users.

RESTAURANT, FULL SERVICE: Full Service Restaurant; an establishment for the retail sale of prepared food to the general public for consumption on the premises, with food service primarily to customers seated at tables or at counters, and no more than 45% of the floor area is devoted to food preparation or other space not accessible to the public.

RESTAURANT, TAKE-OUT: Take-Out Restaurant; an establishment for the retail sale of prepared food to the general public where most customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises or to be taken to a table to be consumed, and where customers pay for food before consuming it.

RETAIL SALES ESTABLISHMENT: a facility whose primary purpose is to offer commodities or goods directly to the consumer for purchase.

ROOFED PATIO: see PATIO, ROOFED

SCHOOL: Premises or part thereof that are designed, constructed, or used for education or instruction in any branch of knowledge, including, but not limited to, art, dance, martial arts, and the like, but excluding Educational Institution.

SERVICE - RETAIL, PERSONAL, PROFESSIONAL, OR BUSINESS: those facilities primarily involved with the provision of personal care or other service, as opposed to product, either on or off the Premises, directly to the ultimate consumer, which may be a person or a business, as walk-in trade or by appointment. Examples of such services include, but are not limited to, beauty salon or barber shop, tailor, laundry, photography studio, shoe repair shop, lawyer, engineer, accountant, landscaper, plumber, or the like.

SIDE LOT LINE: see LOT LINE, SIDE

SIDE YARD: see YARD, SIDE

SIGN: any Structure, or part thereof, or any device attached to a Building or Structure or painted or represented thereon which displays or includes letters, words, symbols, trademarks or any other graphic representation which is in the nature of an announcement, direction, advertisement or other device used to attract the attention of the public for commercial purposes or otherwise; similarly, any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations; any Building feature, including roof or other special illumination, special colors or effects, or Building or roof lines which serve to identify the Use or occupancy of any Building or site through a recognized motif or symbol, when visible from any street or from any Lot other than the Lot on which the Sign is located and either (1) located out of doors or (2) located indoors and intended to be viewed from outside. The term Sign, however shall not include any flag, pennant or insignia of any governmental unit or non-profit organization, the Town of Madison, or the State of Connecticut.

SIGN, TEMPORARY: Temporary Sign; any Sign which is not permanently affixed to the Building or to the ground.

SIGN, ILLUMINATED: Illuminated Sign; any Sign lighted from within or without by artificial light.

STORY, FULL: Full Story; that part of a Distinct Portion of a Building below a floor or roof next above except that the following shall not be considered a story:

- an Attic which is a Non-Story,
- a Half-Story, or
- a Cellar provided the first floor elevation is no more than three (3) feet above the mean finished grade (measured at the wall) along any wall facing a street.

STORY, HALF: Half Story; that portion of a Distinct Portion of a Building below a roof next above where the area with a height of seven feet (7') or greater between the top of the floor or the joists and the bottom of the rafters is twenty-five percent (25%) or more of the Floor Area of the floor below but:

- such area under the roof is fifty percent (50%) or less of the Floor Area of the floor below, and
- such area under the roof and any and all Dormers is sixty percent (60%) or less of the Floor Area of the floor below.

STORY, NON-STORY: Non-Story; an Attic where the area with a height of seven feet (7') or greater between the top of the floor or the joists and the bottom of the rafters is less than twenty-five percent (25%) of the Floor Area of the floor below. (see "Story, Full" and "Story, Half")

STREET: a public or private roadway, or a right of way giving access to the Lot.

STRUCTURE: anything constructed or erected and the use of which requires more or less permanent location on ground or water areas or attachment to something having permanent location on ground or water areas. A combination of materials forming an edifice or a building of any kind, or any production or piece of work artificially built up or composed of parts and joined together in some definite manner, including, but not limited to, signs, fences or walls, a wharf or dock, above-ground tanks, pools, detached

solar panels or satellite dishes, vending machines, donation collection bins, and dumpsters. A Structure will not include the following: flagpoles; small accessory or ornamental features such as a bird bath, well casing, etc.; tents; wheeled vehicles which move from place to place; utility mains, lines, and underground facilities; doghouses, playscapes, tree houses, and other yard or play equipment provided no building permit is required.

SUBDIVISION: the definition of the term "Subdivision" as used in these Regulations shall be the same as that term is defined in the Madison Subdivision Regulations.

TAKE-OUT RESTAURANT: see RESTAURANT, TAKE-OUT

TEMPORARY SIGN: see SIGN, TEMPORARY

TERRACE: an exterior level area, typically defined by retaining walls or other features, which is a landscaping feature.

TERRACE, LANDSCAPED: Landscaped Terrace; a Terrace with a lawn, mulch or similar surface.

TERRACE, FINISHED: Finished Terrace; a Terrace with a concrete, brick, or similar surface.

TRADEMARK BUILDING: a Building which identifies the owner or occupant by its architectural style and/or color and/or materials.

THEATER: a facility for stage and/or motion picture performances (but excluding drive in theaters).

TOTAL BUILDING HEIGHT: see BUILDING HEIGHT, TOTAL

TRAILER: any vehicle which is, or can be, used for sleeping, living or working quarters and which is, has been, or can be mounted on wheels, including those units which can be, have been or are mounted on a pickup or truck chassis.

TRELLIS: a vertical Structure without a solid roof or solid walls, 30" or less in depth, typically used to support climbing plants, usually constructed of wood or metal lattice.

USE: any purpose for which a Building or Premises may be designed, arranged, intended, maintained, or occupied, or, any activity, occupation, business, or operation actually carried on in a Building or on a Lot or Parcel.

USE, ACCESSORY: Accessory Use; any Use which is clearly subordinate, and customarily incidental, to the Principal Use on the same Lot.

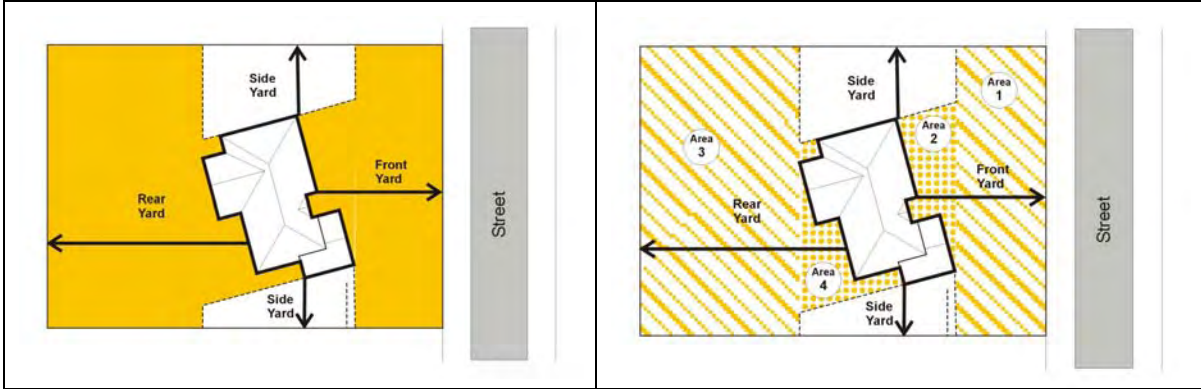
USE, PRINCIPAL: Principal Use; the primary purpose or function for which a Lot is Used.

USE, WATER DEPENDENT: Water Dependent Use; those uses and facilities that a) require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland or b) provide general public access to marine and tidal waters.

VETERINARY OUTPATIENT CLINIC: see OUTPATIENT CLINIC, VETERINARY

WATER DEPENDENT USE: see USE, WATER DEPENDENT

YARD: an area on the same Lot with a Principal Building which lies between the Principal Building and a Lot Line.



YARD, FRONT: Front Yard; a Yard between the Principal Building and a Front Lot Line (a Lot shall have one Front Yard for each street frontage) defined as follows:

- the area extending across the full width of the Lot between a Front Lot Line and a line parallel to that Front Lot Line which touches the most forward wall or corner of the Principal Building shown as the hatched “Area 1” above, and
- the area between the Principal Building and a Front Lot Line between the side walls extended of the Principal Building shown as the dotted “Area 2” above.

YARD, REAR: Rear Yard; a Yard between the Principal Building and the Rear Lot Line defined as follows:

- the area extending across the full width of the Lot between the Rear Lot Line and a line parallel to the Rear Lot Line which touches the most rearward wall or corner of the Principal Building shown as the hatched “Area 3” above, and
- the area between the Principal Building and the Rear Lot Line between the side walls extended of the Principal Building shown as the dotted “Area 4” above.

YARD, SIDE: Side Yard; a Yard located between the Front Yard and the Rear Yard and also between the Principal Building and the Side Lot Line. Any Yard not a Front Yard or a Rear Yard shall be deemed a Side Yard.

YARD, MINIMUM FRONT: Minimum Front Yard; the minimum required distance from the Front Lot Line to a Building, Structure, or Use.

YARD, MINIMUM REAR: Minimum Rear Yard; the minimum required distance from the Rear Lot Line to a Building, Structure, or Use.

YARD, MINIMUM SIDE: Minimum Side Yard; the minimum required distance from the Side Lot Line to a Building, Structure, or Use.

